THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1659 of 2005

26-09-2005

Between:

Parne Srinivasa Reddy.

.....APPELLANT

AND

The Commissioner, Endowments Department, Government of

Andhra Pradesh, Hyderabad & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1659 OF 2005

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

It is a misconceived writ petition, which gave rise to this misconceived writ appeal. The 5th respondent-temple wanted to auction the lands measuring Ac.9-30 guntas in Survey Numbers 187 to 190 and 198 of Anneparthy village of Nalgonda District and proposals were sent to the Commissioner of Endowments. The Commissioner considered the proposals and accorded permission for sale of lands on 31.08.2002. Auction was conducted on 05.09.2002, in which, the appellant and others participated. The writ petitioner's case was that he became the highest bidder and deposited 1/3rd of the bid amount, but the Deputy Commissioner of Endowments addressed a letter on 12.09.2002, informing the Commissioner of Endowments that there were irregularities committed in conducting the auction and requested him to cancel the public auction and accord permission for conducting fresh auction. Proceedings were issued on 07.11.2002 for re-conduct of the public auction. The writ petitioner was aggrieved of such notice.

The learned single Judge was right in coming to the conclusion that there was no enforceable right available to the writ petitioner on the basis of his being highest bidder. The auction had not been confirmed and immediately after the auction, when the respondents came to the conclusion that there had been irregularities, they were well within their rights to order fresh auction. In any case, we do not find that on the basis of being the highest bidder, the writ petitioner has any right, which can be enforced through writ proceedings of this Court.

Writ appeal is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

26th September 2005.

(R.SUBHASH REDDY, J)

ajr